



96R 020762
ENVIRONMENTAL DISCLOSURE DOCUMENT
FOR TRANSFER OF REAL PROPERTY

(5)

The following information is provided pursuant to the Responsible Property Transfer Act of 1983

For Use By County

Seller: KENOSHA BEEF INTERNATIONAL, LTD.

Recorder's Office

Buyer: ALTHOFF & ASSOCIATES, LTD.

County

Document No.: 96R 16534

Date

Doc. No.

Vol. _____ Page _____

Rec'd by: _____

I. PROPERTY IDENTIFICATION:

A. Address of property: 12130 Route 173 Hebron, IL 60034 Hebron
Street City or Village Township

Permanent Real Estate Index No.: 03-17-226-005 and 003

B. Legal Description:

Section 17 Township 46 NORTH Range 7 East

Enter or attach current legal description in this area:

ATTACHED

Prepared by: Kenosha Beef International Ltd Return to: Althoff Associates Ltd
Kenosha, Wisconsin 4103 Crystal Lake, IL
address address 60050

LIABILITY DISCLOSURE

Transferors and transferees of real property are advised that their ownership or other control of such property may render them liable for any environmental clean-up costs whether or not they caused or contributed to the presence of environmental problems associated with the property.

C. Property Characteristics:

Lot Size _____ Acreage 22.5

Check all types of improvement and uses that pertain to the property:

☐ Apartment building (6 units or less)

☒ Industrial building

☐ Commercial apartment (over 6 units)

☐ Farm, with buildings

☐ Store, office, commercial building

☐ Other, specify _____

II. NATURE OF TRANSFER:

A. (1) Is this a transfer by deed or other instrument of conveyance?

Yes

No

☒

(2) Is this a transfer by assignment of over 25% of beneficial interest of an Illinois land trust?

☐

☒

(3) A lease exceeding a term of 40 years?

☐

☒

(4) A mortgage or collateral assignment of beneficial interest?

☐

☒

210040

F.3490 11/89

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96-30-1599

B. (1) Identify Transferor:

KENOSHA BEEF INTERNATIONAL, LTD. P.O. BOX 639 KENOSHA, WI 53141

Name and Current Address of Transferor

Name and Address of Trustee if this is a transfer of beneficial interest of a land trust.

Trust No.

(2) Identify person who has completed this form on behalf of the Transferor and who has knowledge of the information contained in this form:

Charles Vignieri, SAME, ~~President~~ Chairman

Name, Position (if any), and address

Telephone No.

C. Identify Transferee: ALTHOFF & ASSOCIATES, LTD. P.O. BOX 1810 McHENRY, IL 60051-1810

Name and Current Address of Transferee

III. NOTIFICATION

Under the Illinois Environmental Protection Act, owners of real property may be held liable for costs related to the release of hazardous substances.

1. Section 22.2(f) of the Act states:

"Notwithstanding any other provision or rule of law, and subject only to the defenses set forth in subsection (j) of this Section, the following persons shall be liable for all costs of removal or remedial action incurred by the State of Illinois as a result of a release or substantial threat of a release of a hazardous substance:

(1) The owner and operator of a facility or vessel from which there is a release or substantial threat of release of a hazardous substance;

(2) Any person who at the time of disposal, transport, storage or treatment of a hazardous substance owned or operated the facility or vessel used for such disposal, transport, treatment or storage from which there was a release or substantial threat of a release of any such hazardous substance;

(3) Any person who by contract, agreement, or otherwise has arranged with another party or entity for transport, storage, disposal or treatment of hazardous substances owned, controlled or possessed by such person at a facility there is a release or substantial threat of a release of such hazardous substances; and

(4) Any person who accepts or accepted any hazardous substances for transport to disposal, storage or treatment facilities or sites from which there is a release or a substantial threat of a release of a hazardous substance."

2. Section 4(q) of the Act states:

"The Agency shall have the authority to provide notice to any person who may be liable pursuant to Section 22.2(f) of this Act for a release or a substantial threat of a release of a hazardous substance. Such notice shall include the identified response action and an opportunity for such person to perform the response action."

3. Section 22.2(k) of the Act states:

"If any person who is liable for a release or substantial threat of release of a hazardous substance fails without sufficient cause to provide removal or remedial action upon or in accordance with a notice and request by the agency or upon or in accordance with any order of the Board or any court, such person may be liable to the State for punitive damages in an amount at least equal to, and not more than 3 times, the amount of any costs incurred by the State of Illinois as result of such failure to take such removal or remedial action. The punitive damage imposed by the Board shall be in addition to any costs recovered from such person pursuant to this Section and in addition to any other penalty or relief provided by this Act or any other law."

4. Section 22.18(a) of the Act states:

"Notwithstanding any other provision or rule of law, except as provided otherwise in subsection (b), the owner or operator, or both, of an underground storage tank shall be liable for all costs of preventive action, corrective action and enforcement action incurred by the State of Illinois as a result of a release or a substantial threat of release of petroleum from an underground storage tank."

5. The text of the statutes set out above is subject to change by amendment. Persons using this form may update it to reflect changes in the text of the statutes cited, but no disclosure statement shall be invalid merely because it sets forth an obsolete or superseded version of such text.

IV. ENVIRONMENTAL INFORMATION

Regulatory Information During Current Ownership

1. Has the transferor ever conducted operations on the property which involved the generation, manufacture, processing, transportation, treatment, storage or handling of "hazardous substances", as defined by the Illinois Environmental Protection Act? This question shall not be applicable for consumer goods stored or handled by a retailer in the same form, approximate amount, concentration and manner as they are sold to consumers, provided that such retailer does not engage in any commercial mixing (other than paint mixing or tinting of consumer sized containers), finishing, refinishing, servicing, or cleaning operations on the property.

Yes _____ No X

2. Has the transferor ever conducted operations on the property which involved the processing, storage or handling of petroleum, other than that which was associated directly with the transferor's vehicle usage?

Yes X No _____ Machine Oils

3. Has the transferor ever conducted operations on the property which involved the generation, transportation, storage, treatment or disposal of "hazardous or special wastes", as defined by the federal Resource Conservation and Recovery Act and the Illinois Environmental Protection Act?

Yes X No _____

4. Are there any of the following specific units (operating or closed) at the property which are or were used by the transferor to manage waste, hazardous wastes, hazardous substances or petroleum?

	YES	NO		YES	NO
Landfill	_____	<u>X</u>	Injection Wells	_____	<u>X</u>
Surface Impoundment	_____	<u>X</u>	Wastewater Treatment Units	<u>X</u>	_____
Land Treatment	_____	<u>X</u>	Septic Tanks	_____	<u>X</u>
Waste Pile	<u>X</u>	_____	Transfer Stations	_____	<u>X</u>
Incinerator	_____	<u>X</u>	Waste Recycling Operations	_____	<u>X</u>
Storage Tank (Above Ground)	<u>X</u>	_____	Waste Treatment Detoxification	_____	<u>X</u>
Storage Tank (Underground)	<u>X</u>	_____	Other Land Disposal Area	_____	<u>X</u>
Container Storage Area	<u>X</u>	_____			

If there are "YES" answers to any of the above items and the transfer is other than a mortgage or collateral assignment of beneficial interest, attach a site plan which identifies the location of each unit, such site plan to be filed with the Environmental Protection Agency along with this disclosure document.

5. Has the transferor ever held any of the following in regard to this real property?

a. Permits for discharges of wastewater to waters of the State.

Yes _____ No X

b. Permits for emissions to the atmosphere.

Yes X No _____

c. Permits for any waste storage, waste treatment or waste disposal operation.

Yes _____ No X

6. Has the transferor had any wastewater discharges (other than sewage) to a publicly owned treatment works?

Yes _____ No X

7. Has the transferor taken any of the following actions relative to this property?

a. Prepared a Chemical Safety Contingency Plan pursuant to the Illinois Chemical Safety Act.

Yes _____ No X

b. Filed an Emergency and Hazardous Chemical Inventory Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986.

Yes _____ No X

c. Filed a Toxic Chemical Release Form pursuant to the federal Emergency Planning and Community Right-to-Know Act of 1986.

Yes _____ No X

8. Has the transferor or any facility on the property or the property been the subject of any of the following State or federal governmental actions?

a. Written notification regarding known, suspected or alleged contamination on or emanating from the property.

Yes X No _____

b. Filing an environmental enforcement case with a court or the Pollution Control Board for which a final order or consent decree was entered.

Yes _____ No X

c. If item b. was answered by checking Yes, then indicate whether or not the final order or decree is still in effect for this property.

Yes _____ No X

9. Environmental Releases During Transferor's Ownership

a. Has any situation occurred at this site which resulted in a reportable "release" of any hazardous substances or petroleum as required under State or federal laws?

Yes X No _____

b. Have any hazardous substances or petroleum, which were released, come into direct contact with the ground at this site?

Yes X No _____

c. If the answers to questions (a) and (b) are Yes, have any of the following actions or events been associated with a release on the property?

_____ Use of a cleanup contractor to remove or treat materials including soils, pavement or other surficial materials

X Assignment of in-house maintenance staff to remove or treat materials including soils, pavement or other surficial materials

_____ Designation, by the IEPA or the IESDA, of the release as "significant" under the Illinois Chemical Safety Act

X Sampling and analysis of soils

_____ Temporary or more long-term monitoring of groundwater at or near the site

_____ Impaired usage of an on-site or nearby water well because of offensive characteristics of the water

_____ Coping with fumes from subsurface storm drains or inside basements, etc.

_____ Signs of substances leaching out of the ground along the base of slopes or at other low points on or immediately adjacent to the site

10. Is the facility currently operating under a variance granted by the Illinois Pollution Control Board?

Yes _____ No X

11. Is there any explanation needed for clarification of any of the above answers or responses?

7.12 Tons of Wast Oil contaminated soil was excavated at the site, Analysis, and the soil disposed of at Pheasant Run Landfill, Kenosha, WI per IEPA letter of 3/8/91

LEGAL DESCRIPTION:

THAT PART OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF SECTION 17, TOWNSHIP 46 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, WHICH LIES NORTHWESTERLY OF THE NORTHWESTERLY LINE OF STATE HIGHWAY ROUTE 173, AND WEST OF THE WEST LINE (EXTENDED NORTHERLY TO THE NORTH LINE OF SAID SECTION) OF M.W. MERRY ADDITION TO THE VILLAGE OF HEBRON, ACCORDING TO THE PLAT THEREOF RECORDED MARCH 23, 1909 AS DOCUMENT 12730, IN BOOK 3 OF PLATS, PAGE 30 (EXCEPTING THAT PART FALLING WITHIN THE FOLLOWING DESCRIBED PARCEL: BEGINNING AT A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF THE CHICAGO AND NORTHWESTERN RAILWAY COMPANY, SAID POINT BEING 50 FEET NORTH OF THE SECTION LINE BETWEEN SECTIONS 8 AND 17, BOTH IN TOWNSHIP 46 NORTH, RANGE 7 EAST OF THE THIRD PRINCIPAL MERIDIAN, AND ALSO ON A LINE DRAWN 400 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 8; THENCE SOUTH ON THE LAST MENTIONED PARALLEL LINE AND ALSO 400 FEET EAST OF AND PARALLEL TO THE WEST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 17, FOR A DISTANCE OF 100 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF SAID RAILROAD; THENCE EAST ON THE SOUTHERLY LINE OF SAID RAILROAD, FOR A DISTANCE OF 750.67 FEET, MORE OR LESS, TO A POINT ON THE WEST LINE OF A CERTAIN DEED RECORDED IN THE RECORDER'S OFFICE OF MCHENRY COUNTY, ILLINOIS IN BOOK 621 OF DEEDS, PAGE 558, SAID POINT BEING 29.70 FEET SOUTH OF THE NORTHWEST CORNER THEREOF; THENCE NORTH ON THE WEST LINE OF SAID BOOK 621 OF DEEDS, PAGE 558, FOR A DISTANCE OF 29.70 FEET TO THE NORTHWEST CORNER THEREOF; THENCE EAST ON THE NORTH LINE THEREOF, FOR A DISTANCE OF 33 FEET TO THE SOUTHWEST CORNER OF DOCUMENT NO. 594921; THENCE NORTH ON THE WEST LINE OF DOCUMENT NO. 594921, FOR A DISTANCE OF 15.30 FEET TO THE SOUTHEAST CORNER OF DOCUMENT NO. 685179; THENCE WEST ON THE SOUTH LINE OF SAID DOCUMENT NO. 685179, FOR A DISTANCE OF 165 FEET TO THE SOUTHWEST CORNER THEREOF; THENCE NORTH ON THE WEST LINE THEREOF, FOR A DISTANCE OF 51.62 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID RAILROAD; THENCE WEST ON THE NORTHERLY RIGHT OF WAY LINE OF SAID RAILROAD, FOR A DISTANCE OF 618.55 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING, AND ALSO EXCEPTING THAT PART OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 17, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF A CERTAIN DEED RECORDED IN THE RECORDER'S OFFICE IN MCHENRY COUNTY, ILLINOIS IN BOOK 621 OF DEEDS, PAGE 558; THENCE SOUTH ON THE WEST LINE OF SAID DEED SO RECORDED, FOR A DISTANCE OF 29.70 FEET TO A POINT FOR THE PLACE OF BEGINNING; THENCE CONTINUING SOUTH ON SAID WEST LINE, FOR A DISTANCE OF 66.58 FEET TO A POINT ON THE NORTHWESTERLY RIGHT OF WAY LINE OF STATE ROUTE 173; THENCE SOUTHWESTERLY ON SAID NORTHWESTERLY RIGHT OF WAY LINE BEING ON A CURVE, CONVEX NORTHWESTERLY AND HAVING A RADIUS OF 1179.28 FEET, FOR A DISTANCE OF 62.93 FEET TO A POINT ON A LINE DRAWN 54 FEET WEST OF AND PARALLEL TO THE WEST LINE OF SAID BOOK 621 OF DEEDS, PAGE 558; THENCE NORTH ON THE LAST MENTIONED PARALLEL LINE, FOR A DISTANCE OF 93.64 FEET TO A POINT; THENCE WEST, FOR A DISTANCE OF 187 FEET TO A POINT WHICH IS 50 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 17; THENCE EASTERLY ON THE SOUTHERLY RIGHT OF WAY LINE OF VACATED RAILROAD, FOR A DISTANCE OF 241 FEET TO THE PLACE OF BEGINNING), IN MCHENRY COUNTY, ILLINOIS.

LEGALD

96-30-1602

B. SITE INFORMATION UNDER OTHER OWNERSHIP OR OPERATION

1. Provide the following information about the previous owner or any entity or person the transferor leased the site to or otherwise contracted with for the management of the site or real property:

Name: Warhooper Packing Co. Muncie, Ind.

Type of business/
or property usage meat packing
slaughter house

2. If the transferor has knowledge, indicate whether the following existed under prior ownerships, leaseholds granted by the transferor, other contracts for management or use of the facilities or real property:

	YES	NO		YES	NO
Landfill		X	Injection Wells		X
Surface Impoundment		X	Wastewater Treatment Units	X	
Land Treatment		X	Septic Tanks		X
Waste Pile		X	Transfer Stations		X
Incinerator		X	Waste Recycling Operations		X
Storage Tank (Above Ground)		X	Waste Treatment Detoxification		X
Storage Tank (Underground)		X	Other Land Disposal Area		X
Container Storage Area		X			

V. CERTIFICATION

A. Based on my inquiry of those persons directly responsible for gathering the information, I certify that the information submitted is, to the best of my knowledge and belief, true and accurate.

KENOSHA BEEF INTERNATIONAL, LTD.
BY: Charles Vignieri
signature
Charles Vignieri, Chairman
type or print name
TRANSFEROR OR TRANSFERORS (or on behalf of Transferor)

B. This form was delivered to me with all elements completed on

January 4 1996

Althoff Associates, Ltd.

By: J.L. Althoff
signature
J.L. Althoff
type or print name
TRANSFeree OR TRANSFEREES (or on behalf of Transferee)

C. This form was delivered to me with all elements completed on

_____ 19____

Not applicable

signature

type or print name
LENDER

(Ch. 30, par. 906)

McHENRY COUNTY
RECORDER
PHYLLIS K. WALTERS

96R 020762

96 APR 24 PM 3:39

R. K. L...

COMPLIMENTS OF CHICAGO TITLE INSURANCE COMPANY
F. 3690 11/89

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